



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: April 25, 2011

CBCA 199-ISDA, 215-ISDA, 216-ISDA, 217-ISDA, 218-ISDA

COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS,

Appellant,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

Geoffrey D. Strommer of Hobbs, Straus, Dean & Walker, LLP, Portland, OR, counsel for Appellant.

Kathleen Bradley-Nader, Office of the General Counsel, Department of Health and Human Services, Seattle, WA, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **VERGILIO**, and **STEEL**.

STEEL, Board Judge.

On April 19, 2011, the parties submitted a settlement agreement whereby the Government agrees to pay to the appellant a one-time, lump sum payment in full settlement of the above-captioned appeals. They ask that the Board enter judgment in the amount of \$1,100,000, with payment to be made through the judgment fund in accordance with 31 U.S.C. § 1304 (2006) and 41 U.S.C. § 7108 (as codified by Pub. L. No. 111-350, 124 Stat. 3677, 3825 (2011)). The parties have further agreed that no interest, including Prompt Payment Act interest, shall apply; they will not seek reconsideration of, or relief from, the

Board's decision; and each party will be responsible for its costs, attorney fees, and expenses incurred in the litigation of these appeals.

Decision

The Board **GRANTS IN PART** the appeals. The Government shall pay the appellant \$1,100,000. Payment shall be made from the judgment fund. 31 U.S.C. § 1304; 41 U.S.C. § 7108.

CANDIDA S. STEEL
Board Judge

We concur:

STEPHEN M. DANIELS
Board Judge

JOSEPH A. VERGILIO
Board Judge